

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK ROBERT QUIROZ, ) No. C 11-0016 LHK (PR)  
Plaintiff, ) ORDER GRANTING PLAINTIFF'S  
v. ) MOTION TO DISMISS DEFENDANT  
ROBERT A. HOREL, et al., ) DEVAN HAWKES  
Defendants. )  
\_\_\_\_\_) (Docket No. 236)

On July 16, 2013, plaintiff, a state prisoner proceeding *pro se*, filed a third amended civil rights complaint pursuant to 42 U.S.C. § 1983. Upon screening, the court ordered it served upon named defendants. (Docket No. 181.) On October 23, 2013, a summons was returned unexecuted for defendant Devan Hawkes because he had “retired with no forwarding information.” (Docket No. 202.) On December 18, 2013, the court directed plaintiff to file a notice with the court containing a current and accurate address for defendant Devan Hawkes such that the Marshal is able to effect service. (Docket No. 230.) On January 24, 2014, plaintiff filed a motion to voluntarily dismiss defendant Devan Hawkes from this action. (Docket No. 236.)

Plaintiff's motion is **GRANTED**. Defendant Devan Hawkes is **DISMISSED** without prejudice. The clerk shall terminate said defendant from this action.

This order terminates docket number 236.

IT IS SO ORDERED.

DATED: 2/25/14



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2 United States District Judge  
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